



21 APR 2008

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In re Application of
PRITCHARD, Martyn et al. : DECISION ON
Application No.: 10/598,520 :
PCT No.: PCT/GB2005/000800 : PETITION UNDER
Int. Filing Date: 04 March 2005 :
Priority Date: 05 March 2004 : 37 CFR 1.47(a)
Attorney Docket No.: 13425-200US1 :
For: THERAPEUTIC COMPOUNDS :

This is in response to applicants' Petition Under 37 CFR 1.47(a), filed in the United States Patent and Trademark Office (USPTO) on 07 December 2007.

BACKGROUND

On 04 March 2005, applicants filed international application PCT/GB2005/000800, claiming a priority date of 05 March 2004. The deadline for paying the basic national fee in the United States expired at midnight on 05 September 2006.

On 01 September 2006, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 07 May 2007, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 07 December 2007, applicants submitted this petition accompanied by a declaration of an inventor and a firsthand statement of facts and the fee for a five month extension of time.

DISCUSSION

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the non-signing applicant.

Items (1), (2), (3) and (4) have been satisfied. The \$200 fee for this petition has been paid. Applicants have supplied evidence that the non-signing inventor was presented with a complete copy of the application papers and has not returned a signed declaration and has

expressed a refusal to sign the declaration. Applicants state that the last known address of inventor Jacqueline Ouzman as 76 Nab Wood Crescent; Shipley, Bradford; West Yorkshire BD18 4HY; United Kingdom. The declaration submitted complies with 37 CFR 1.47(a) and 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Branch of the Office of Patent Application Processing for continued national stage processing of the application, including accordation of a 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) date of **07 December 2007**.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459

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Jacqueline Ouzman
76 Nab Wood Crescent
Shipley, Bradford
West Yorkshire BD18 4HY
United Kingdom

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Dear Ms. Ouzman:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

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Facsimile: 571-273-0459

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